



~~December 14, 2006 CPC~~  
~~March 20, 2007 CPC~~  
~~May 15, 2007 CPC~~  
June 19, 2007 CPC

STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

07SN0181

Tascon Group Inc.

Clover Hill Magisterial District  
Providence Elementary, Providence Middle and Monacan High Schools Attendance Zones  
Southwest line of Reams Road at Winters Hill Place

REQUESTS:

- I. Rezoning from Agricultural (A) to Multifamily Residential (R-MF) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements.
- II. Waiver to street connectivity requirements to Gallitan Road.

PROPOSED LAND USE:

A multifamily condominium development containing a maximum of four (4) units per acre, yielding approximately eighty-seven (87) dwelling units is planned (Proffered Condition 3). Model homes and temporary modular units for the purpose of marketing the development are also proposed. (Textual Statement I.E and I.F)

RECOMMENDATION

Request I: Recommend approval of the rezoning subject to the applicant fully addressing the impact of this development on transportation facilities relative to proffered improvements to Reams Road. This recommendation is made for the following reasons:

- A. The proposed zoning and land uses conform to the Northern Area Plan which suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre.

- B. The proffered conditions do not adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions relative to credit for road improvements do not mitigate the impact on roads, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Request II. Recommend denial of the waiver to street connectivity requirements to Gallitan Road for the following reason:

The evaluation of the Policy criteria for granting such relief necessitates design details that can best be provided through the subdivision review process.

- (NOTES: A. CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS.
- B. IT SHOULD BE NOTED THAT AMENDMENTS TO THE PROFFERED CONDITIONS WERE NOT RECEIVED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES". THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOOD(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THESE AMENDMENTS.)

#### PROFFERED CONDITIONS

1. Master Plan. The Textual Statement dated September 8, 2006, and revised April 5, 2007, shall be considered The Master Plan.
2. Utilities. Public water and wastewater systems shall be used.
3. Density. Density shall not exceed four (4) dwelling units per acre. (P)
4. Timbering. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE)

5. Drainage. No drainage from impervious areas shall drain to Gatewood Subdivision or Winters Hill Place subdivision except for that small amount required by the CORPS of engineers to hydrate any wetlands. (EE)
6. Construction Access. Construction traffic for the initial development shall be limited to an access on to Reams Road subject to review and approval by VDOT. (EE)
7. Sidewalks. Sidewalks shall be provided on both sides of all street rights of way within the development. The exact treatment and location of these sidewalks shall be approved by the Planning Department at the time of site plan review. (P)
8. Streets Trees. Street trees shall be planted along each side of the interior roads to include entrance roads from public roads into the development. If existing trees are maintained, they may be counted toward this requirement. (P)
9. Fencing. A decorative fence with brick or stone columns shall be provided along Reams Road frontage of the Property, such columns are not to be spaced farther apart than sixty (60) feet. A three (3) rail vinyl fence shall be provided along the eastern and western property lines adjacent to lots in Winters Hill Place and Gatewood Subdivision. (P)
10. Driveways. All private driveways shall be hardscaped. (P)
11. Building Materials and Elevations. Dwelling units shall be constructed with materials such as brick or stone veneer; composition, hardiplank, or vinyl siding; and 20-year asphalt shingles. Buildings shall have an architectural treatment generally consistent with those depicted in the rendering entitled “Tascon Reams Road – Case #07SN0181”. (P)
12. Foundation Treatment. All exposed portions of the foundation and exposed piers supporting front porches of each new dwelling unit shall be faced with brick, stone veneer, decorative masonry or exterior insulation and finishing systems (EIFS) materials. (P)
13. Garages. No more than fourteen (14) dwelling units shall be permitted to employ front loaded garages. (P)
14. Lighting. Light poles shall have a maximum height of fifteen (15) feet and shall be located generally along the interior roads as approved by the Planning Department. (P)
15. Open space/Recreation area. Open space/recreation area shall be provided throughout the development, with a minimum of 0.75 acres in the entrance area at Winters Hill Place, to provide a “focal point” as one enters the project. Part of the area shall be “hardscaped” and have benches and other amenities that accommodate and facilitate gatherings. The exact design and location shall be

approved by the Planning Department at the time of site plan review. These amenities shall be developed concurrent with the first phase of development. (P)

16. Restriction on Children's Play Facilities. The common area recreational amenities shall not include playground equipment, play fields or other facilities primarily associated with children's play. (P)
17. Virginia Condominium Act. All multi-family dwelling units on the Property shall be condominiums as defined and regulated by the Virginia Condominium Act, and all common areas and improvements therein shall be maintained by a condominium association. (P)
18. Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, the Federal Fair Housing Act, and such other applicable federal, state or local legal requirements, dwelling units designated as age-restricted shall be restricted to "housing for older persons" as defined in the Virginia Fair Housing Law and no person under the age of 19 shall reside therein. (P)
19. Impacts on Capital Facilities. The applicant, subdivider, or assignee(s) shall pay the following, for infrastructure improvements within the service district for the property, to the county of Chesterfield prior to the issuance of building permit per dwelling unit:
  - A. If payment is made prior to July 1, 2007, \$1,354.00 per dwelling unit. At time of payment \$1,354.00 will be allocated pro-rata among the facility costs as follows: \$602.00 for parks and recreation, \$348.00 for library facilities, and \$404.00 for fire stations; or
  - B. If payment is made after June 30, 2007, the amount approved by the Board of Supervisors not to exceed \$1,354.00 per dwelling unit pro-rated as set forth in Proffered Condition 19.A. above and adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006, and July 1 of the fiscal year in which the payment is made.
  - C. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law.
  - D. Should any impact fees be imposed by Chesterfield County at any time during the life of the development that are applicable to the property, the amount paid in cash proffers shall be in lieu of or credited toward, but not be in addition to, any impact fees, in a manner determined by the County. (B&M)
20. Transportation Contribution. The applicant, his successor(s), or assignee(s) (the "Applicant") shall pay to the County of Chesterfield prior to the issuance of each building permit (if not offset by the cost of improvements contemplated by Proffered Conditions 23 or 24) \$8,915 per dwelling unit. If this amount is paid

after June 30, 2007, the amount paid shall be adjusted upward by any Board of Supervisors' approved increase in the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made. The payment shall be used for road improvements in accordance with the Board's cash proffer policy. The payment could be used towards road improvements as stated in Proffered Condition 23 or 24.

If, upon the mutual agreement of the Transportation Department and the Applicant, the Applicant provides road improvements (the "Improvements"), other than those road improvements identified in Proffered Condition 22 then the transportation contribution in this Proffered Condition shall be reduced by an amount equal to the cost to construct the Improvements. Thereafter, the Applicant shall pay the balance of the transportation contribution as set forth in this Proffered Condition, or may apply such funds to additional road improvements as outlined in Proffered Condition 24. For the purposes of this Proffered Condition, the costs, as approved by the Transportation Department, shall include, but not be limited to, the cost of right-of-way acquisition, engineering costs, costs of relocating utilities and actual costs of construction (including labor, materials, and overhead) ("Work"). Before any Work is performed, the Applicant shall receive prior written approval by the Transportation Department for any reduction. However, under no circumstances shall the Applicant be required to expend any amount for transportation contributions and/or the cost of improvements pursuant to Proffered Conditions 23 or 24 in excess of the total obtained by multiplying the number of dwellings on the approved site plan times \$8,915 (as such amount may be adjusted as provided above). (T)

21. Access.

- A. There shall be no direct vehicular access to Reams Road and Gallitan Road, except as otherwise stated in Proffered Condition 6.
- B. No dwelling units shall have sole access from Winters Hill Place or Gatewood Subdivisions. (T & P)

22. Road Improvements. In conjunction with the initial development on the property, the owner/developer shall be responsible for the following:

- A. Widening/improving the south side of Reams Road to an eleven (11) foot wide travel lane, measured from the existing centerline of the existing Reams Road right-of-way along that part of Reams Road immediately adjacent to the Property, with an additional one (1) foot wide paved shoulder plus a seven (7) foot wide unpaved shoulder, and overlaying the full width of the roads with one and a half (1.5) inch of compacted bituminous asphalt concrete, with any modifications approved by the Transportation Department, for the entire property frontage;

- B. Construction of additional pavement along Reams Road at the Winters Hill Place/Reams Road intersection to provide a right and left turn lane, based on Transportation Department standards.
  - C. Dedication, free and unrestricted, to and for the benefit of Chesterfield County of any additional right of way required for these improvements. In the event the developer is unable to acquire any “off-site” right-of-way that is necessary for these improvements, the developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the developer. In the event the County chooses not to assist the developer in acquisition of the “off-site” right-of-way, the developer shall be relieved of the obligation to acquire the “off-site” right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department. (T)
23. Offsite Road Improvements. Prior to the issuance of building permits for more than a cumulative total of thirty-six (36) dwelling units on the subject property, subject to the availability of right of way and approval of construction plans by VDOT, Reams Road shall be reconstructed to VDOT Urban Minor Arterial (40mph) standards from the centerline of Winters Hill Place west to a distance of 700 linear feet, with any modifications approved by the Transportation Department. The exact location, length and design of these improvements shall be approved by the Transportation Department provided such costs for the above improvements shall be limited to the amount specified in Proffered Condition 20. In the event the developer is unable to acquire any “off-site” right-of-way that is necessary for these improvements, the developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the developer subject to the maximum cost/expense limitation established above in Proffered Condition 20. In the event the County chooses not to assist the developer in acquisition of the “off-site” right-of-way, the developer shall be relieved of the obligation to acquire the “off-site” right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department. (T)
24. Additional Road Improvements. If, upon the mutual agreement of the Transportation Department and the Applicant the following road improvements may be counted as “off-site” road improvements towards the transportation contribution amount as stated in Proffered Condition 20.
- A. A left turn lane at Wadsworth Drive. The exact location, length and design of these improvements shall be approved by the Transportation Department.

- B. A left turn lane at Walkerton Road. The exact location, length and design of these improvements shall be approved by the Transportation Department.
- C. In the event the developer is unable to acquire any “off-site” right-of-way that is necessary for these improvements, the developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the developer subject to the maximum cost/expense limitation established above in Proffered Condition 20. In the event the County chooses not to assist the developer in acquisition of the “off-site” right-of-way, the developer shall be relieved of the obligation to acquire the “off-site” right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department.  
(T)

25. Dedication.

- A. All roads that accommodate general traffic circulation through the development (the “Public Roads”), as determined by the Transportation Department, shall be designed and constructed to VDOT standards and taken into the State System.
- B. Forty-five feet of right-of-way on the south side of Reams Road measured from the centerline of the existing Reams Road right-of-way along that part of Reams Road immediately adjacent to the Property shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County in conjunction with Site Plan approval or within sixty (60) days from the date of a written request by the Transportation Department, whichever occurs first. (T)

GENERAL INFORMATION

Location:

Southwest line of Reams Road at Winters Hill Place and at the western termini of Rockdale and Gallatin Roads. Tax ID 752-698-3368.

Existing Zoning:

A

Size:

21.8 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North, South and West- R-7, R-9 and R-15; Single family residential  
East – R-9 and A with Conditional Use; Single family residential, recreation or vacant

UTILITIES

Public Water System:

A sixteen (16) inch water line extends along the northeast side of Reams Road, opposite this site. Additional water lines available to this site include an eight (8) inch water line along Winter Hill Place and Gallatin Road and a six (6) inch water line in Rockdale Road. The public water system is available. The applicant has proffered to use the public water system (Proffered Condition 2). Per Utilities Department Design Specifications (DS-21), wherever possible, two (2) supply points shall be provided for subdivisions containing more than twenty-five (25) lots. Depending upon the proposed layout, connection to two (2) or more of the existing water lines will be required.

Public Wastewater System:

There is an existing twelve (12) inch wastewater trunk line extending along a tributary of Falling Creek, adjacent to the southwest boundary of this site. The public wastewater system is available. Use of the public wastewater system is intended. (Proffered Condition 2)

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the rear and then via tributaries through upper and lower beaver pond to Falling Creek. There are no erosion problems on-site; however, the creek to the rear has some sporadic stream degradation. There are no drainage problems on-site; however, a large portion of the property drains through Winters Hill Place Subdivision prior to entering the creek to the rear.

There is a floodplain recorded to the rear of twelve (12) homes in Winters Hill Place Subdivision. The area is flat and the homes may have been constructed as close as five (5) feet to the floodplain. The floodplain in Winters Hill Place was located with the assumption that the subject property would be developed for single family dwellings, thereby creating less runoff. To minimize the runoff from the proposed development, the applicant has proffered that only drainage required for hydrating the wetlands adjacent to



Waters Hill Place, as required by the Corps, will be drained in the direction of Winters Hill Place and Gatewood Subdivisions. (Proffered Condition 5)

The property is wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering. This will ensure the adequate erosion control measures are in place prior to any land disturbance. (Proffered Condition 4)

#### Water Quality:

Prior to site plan approval, the developer will be required to perform a perennial flow determination on any creeks on the property and, if found to be perennial, the creek will be subject to a 100 foot conservation area inside of which uses are limited.

### PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program.

#### Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six (6) new stations, the Plan also recommends the expansion of five (5) existing stations. Based on eighty-seven (87) dwelling units, this request will generate approximately twenty (20) calls for fire and emergency medical service each year.

The applicant has addressed the impact of this proposed development on fire and EMS. (Proffered Condition 19)

The Wagstaff Fire Station, Company Number 10 and the Forest View Volunteer Rescue Squad currently provide fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection and access requirements will be evaluated during the plans review process.

The applicant has requested an exception to pavement width requirements for private streets and driveways not designated as fire lanes (Textual Statement I.D.). When the driveway or street is designated as a fire lane, the width must be a minimum of twenty (20) feet, consistent with the Virginia Statewide Fire Prevention Code. Therefore, this exception is acceptable.

The applicant has requested not to make a street connection to Gallitan Road (Proffered Condition 21.A). In an emergency situation, this connection would benefit both the applicant's project and the surrounding developments. The Fire Department continues to support connectivity between subdivisions so that multiple access points are available to assist in an emergency response.

### Schools:

The proposed development is proffered as an age-restricted community. As such, this request will have no increased impact on school facilities. (Proffered Condition 18)

### Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County.

Development would most likely affect the existing La Prade Library or a proposed new library in the Reams/Gordon area.

The applicant has addressed the impact of this development on library facilities. (Proffered Condition 19)

### Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Public Facilities Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

The applicant has addressed the impact of this development on park facilities. (Proffered Condition 19)

### Transportation:

The property is located on the south side of Reams Road between the Winters Hill Place and Gatewood subdivisions. The applicant has proffered a maximum density of four (4) dwelling units per acre (Proffered Condition 3). Based on trip rates for senior adult housing, development of the property could generate approximately 300 average daily trips. These vehicles will initially be distributed along Reams Road, which had a 2006 traffic count of 12,344 vehicles per day (VPD). Reams Road in this area was at capacity (Level of Service E) based on the amount of traffic it carried during peak hours. The Transportation Department recommends approval of the request subject to modification of Proffered Conditions 23 and 24 as discussed herein.

The Thoroughfare Plan identifies Reams Road as a major arterial with a recommended right-of-way width of ninety (90) feet. The applicant has proffered to dedicate forty-five (45) feet of right-of-way along Reams Road in accordance with that Plan. (Proffered Condition 25)

Access to major arterials and collectors, such as Reams Road, should be controlled. The applicant has proffered that no direct vehicular access will be provided from the property to Reams Road (Proffered Condition 21.A). The applicant intends to access the property from the existing Winters Hill Place in the Winters Hill subdivision. In order to address citizen concerns, Proffered Condition 21.A also states that there will be no direct vehicular access from the property to Gallitan Road in the adjacent Gatewood subdivision.

A high number of traffic accidents are occurring along this section of Reams Road, predominately at the intersections with Wadsworth Drive, Rosegill Road, Arch Hill Road and Adkins Road. Construction of turn lanes along Reams Road at these intersections would help address the accident problem. The Six-Year Improvement Program includes a Phase I of this project, which will involve construction of a left turn lane on Reams Road at Adkins Road. Construction is anticipated to begin in Summer 2007. Some funds have been allocated towards construction of turn lanes on Reams Road at Rosegill Road and Wadsworth Drive/Winters Hill Place. The schedule for these improvements has not been determined at this time.

The traffic impact of this development must be addressed. The applicant has proffered to: 1) construct additional pavement along Reams Road at the Winters Hill Place intersection to provide right and left turn lanes based on Transportation Department standards; 2) improve Reams Road for the entire property frontage to provide an eleven (11) foot wide travel lane, a one (1) foot paved shoulder and a seven (7) foot unpaved shoulder; 3) overlay the full width of Reams Road for the entire property frontage; and 4) dedicate any additional right-of-way required for these improvements (Proffered Condition 22). The developer will need to acquire “off-site” right of way to provide these improvements. According to Proffered Condition 22, if the developer is unable to acquire the right-of-way for these improvements, the developer may request the County to acquire the right-of-way as a public road improvement. All costs associated with the acquisition will be borne by the developer. If the County chooses not to assist with the right-of-way acquisition, the developer will not be obligated to acquire the “off-site” right-of-way, and will only be obligated to construct road improvements within available right-of-way. The vertical alignment of Reams Road in this area limits sight distance from vehicles turning at Wadsworth Drive. Any turn lanes constructed at Winters Hill Place should take into account a possible new vertical alignment for Reams Road in this area.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. The applicant has proffered to contribute cash (the “Transportation Contribution”) towards mitigating the traffic impact of this development (Proffered Condition 20). Proffered Condition 20 allows for a reduction in the Transportation Contribution if the applicant provides additional road improvements, other than the customary road improvements identified above, to Reams Road. Specifically, the Transportation Contribution could be reduced if the applicant reconstructs Reams Road west of Winters Hill Place to correct a substandard vertical alignment (Proffered Condition 23). Proffered Condition 23 also specifies that the reconstruction of Reams Road will be provided prior the issuance of building permits for thirty-six (36) dwelling

units subject to the availability of right of way and approval of construction plans by VDOT. It further states that the applicant will not be required to spend an amount that exceeds the Transportation Contribution. In summary, there is no assurance that this improvement will be provided. Proffered Condition 24 identifies additional improvements that could be provided for a further reduction in the Transportation Contribution but does not ensure that any of them will be provided. Staff calculated the value of the reconstruction of Reams Road to be approximately equivalent to \$384,000 of the Transportation Contribution based on information provided by the applicant and limited construction estimates from other projects. The actual cost of this construction cannot be determined until the work is completed and may be more or less than this estimated amount. Proffered Condition 23 should be modified to state that the applicant will reconstruct Reams Road in lieu of paying the Transportation Contribution for the initial forty-four (44) units. If these improvements are provided by others (i.e. a public project) then the applicant should pay the Transportation Contribution for all the units. Similarly, Proffered Condition 24 should be modified to state that the additional improvements will be provided in lieu of the Transportation Contribution for a specific number of dwelling units.

As development continues in this part of the County, traffic volumes on area roads will substantially increase. Additional funds will need to be identified to cover the cost of the improvements needed to accommodate the traffic increases. Other than the Reams Road turn lane projects, no public road improvements in this part of the county are currently included in the Six-Year Improvement Program.

The Zoning Ordinance allows streets within townhouse and condominium developments to be privately maintained. Staff recommends that all of the main streets within this project be accepted into the State Highway System. Having these streets accepted into the State Highway System will ensure their long-term maintenance. The applicant has proffered that all streets which accommodate general traffic circulation will be designed and constructed to State (i.e., the Virginia Department of Transportation) standards and taken into the State System. (Proffered Condition 25)

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	87*	1.00
Population Increase	236.64	2.72
Number of New Students		
Elementary	0.00	0.00
Middle	0.00	0.00
High	0.00	0.00
TOTAL	0.00	0.00
Net Cost for Schools	\$0	\$0
Net Cost for Parks	52,548	604
Net Cost for Libraries	30,363	349
Net Cost for Fire Stations	35,235	405
Average Net Cost for Roads	777,954	8,942
TOTAL NET COST	\$896,100	\$10,300

\* Based on a proffered maximum of four (4) dwelling units per acre. The actual number of dwelling units and corresponding impact may vary. (Proffered Condition 3)

The need for schools, parks, libraries, fire stations, and transportation facilities in this area is identified in the County's adopted Public Facilities Plan, Thoroughfare Plan, Adopted Capital Improvement Program and further detailed by specific departments in the applicable sections of this request analysis.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on roads, parks, libraries, and fire stations at \$10,300 per unit. The applicant has been advised that a maximum proffer of \$10,269 per dwelling unit would defray the impact of this development, as it will have no increased impact on school facilities.

Consistent with the Board of Supervisors' policy, and proffers accepted from other applicants, the applicant has offered cash to assist in defraying the cost of this proposed zoning on parks, libraries, and fire stations (Proffered Condition 19). To address the development's impact on roads, the applicant has offered, upon mutual agreement with the county, cash and road improvements. The cash payment option adequately mitigates the development's impact on road facilities; however, the terms of the alternative improvements, more specifically the transportation credit amount, have not been appropriately addressed in Proffered Conditions 23

and 24, as referenced in the Transportation Department's report. Staff recommends that the applicant adequately address the proffered conditions that pertain to the transportation credit.

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

The Planning Commission and Board of Supervisors, through their consideration of this request, may determine that there are unique circumstances relative to this request that may justify acceptance of proffers as offered for this case.

### LAND USE

#### Comprehensive Plan:

Lies within the boundaries of the Northern Area Plan which suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre. The Northern Area Plan Amendment is currently under review.

#### Area Development Trends:

Area properties are zoned Residential (R-7, R-9 and R-15) and are developed as Winters Hill Place, Archbrooke and Gatewood Subdivisions or are zoned Agricultural (A) and occupied by single family dwellings on acreage parcels or recreational uses (golf course) or are currently vacant. It is anticipated that residential development will continue in this area of Reams Road at densities suggested by the Plan.

#### Site Design:

Except as modified by this request, multifamily residential development must conform to the requirements of the Zoning Ordinance for the Multifamily Residential (R-MF) District. The applicant has requested exceptions to several of these standards, as noted in the Textual Statement submitted with this application (Proffered Condition 1). These Ordinance standards were designed to address a typical, suburban high-density residential project. These exceptions will allow flexibility in site design to accommodate a unique multifamily project that has a character more in keeping with a single family development.

#### Density and Building Materials:

Proffered Condition 3 limits the density of the development to a maximum of four (4) units per acre, yielding a maximum of eighty-seven (87) dwelling units.

The applicant has proffered the use of specific building materials and foundation treatments (Proffered Conditions 11 and 12).

### Cluster Standards:

The proffered conditions offered for this project are consistent with those typically required by the Commission and Board of Supervisors on similar projects recently approved with the exception of garages. These standards include sidewalks, street trees, hardscaped driveways and focal point. (Proffered Conditions 7, 8, 10 and 15)

### Garages:

In conjunction with the single family character of the proposed development, the applicant has requested an associated reduction in building setbacks from rights of way (Textual Statement). With the potential for dwellings to be significantly closer to the road, the appearance of garage doors adjoining streets becomes an important design issue relative to their impact on streetscape. Typically, similar developments have addressed this impact by requiring that front loaded garages be located no closer to the street than the front facade of the dwelling unit. As proffered, a maximum of fourteen (14) of the dwelling units may include front loaded garages which may be located closer to the street than the front facade of the dwelling unit (Proffered Condition 13). Limiting the location of front loaded garages provides a better guarantee that their impact on the streetscape will be softened.

### Recreation:

The applicant has proffered that any common recreational areas will not include amenities primarily associated with children's play (Proffered Condition 16). Further, all common areas within the development must be maintained by a condominium association. (Proffered Condition 17)

### Lighting and Fencing:

Proffered Conditions 9 and 14 address lighting height within the project and decorative fencing at the development's entrance at Reams Road and fencing adjacent to Winters Hill Place and Gatewood Subdivision.

### Access to Winters Hill Place and Gallatin Road:

Winters Hill Place, which serves Winters Hill Subdivision to the north, and Rockdale Road, which serves the Gatewood Subdivision to the south, are recorded to the limits of the subject property. Should these rights of way be extended to provide sole access to a portion of the proposed development, density compatibility with lots in those portions of the adjacent subdivision developments would need to be addressed. The applicant has proffered that no dwelling units will have sole access from Winters Hill Place or Rockdale Road, thereby eliminating the need to address this compatibility issue. (Proffered Condition 21.B)

### Street Connectivity:

An exception to the “Residential Subdivision Connectivity Policy” is requested so as to preclude any road connection to Gallitan Road (Proffered Condition 21.A). In addition to promoting fire and emergency services safety, subdivision road connections provide interconnectivity between residential developments, thereby reducing congestion along collector and arterial roads and providing a convenient and safe access to neighboring properties.

The “Policy” allows the Board, through the Commission’s recommendation, to waive the requirement for streets in new subdivisions to connect to adjacent public streets that are designed as local streets, residential collectors and thoroughfare streets. Staff must evaluate this waiver based upon three (3) criteria: (1) there must be a sufficient number of other stub streets to adequately disperse traffic and not cause a concentrated use of any one (1) stub street; or (2) the connection to a particular stub will cause concentrated traffic at that location; (3) the projected traffic volume on any one (1) local street within an existing subdivision exceeds 1,500 vehicle trips per day.

Without additional design information relative to road layout, staff cannot determine if the criteria for granting such a waiver can be met. Therefore, it is recommended that consideration of this waiver be evaluated during the plans review process when more detail is available.

### Construction Access:

At the request of area property owners, Proffered Condition 6 limits access for construction traffic for initial development to Reams Road. This proffered condition is difficult, if not impossible to enforce. In addition, it should be noted that if VDOT does not approve such an access this restriction will not apply.

### Age Restriction:

Proffered Condition 18 limits occupancy of the proposed dwelling units to “housing for older persons” as defined in the Virginia Fair Housing Law. While during the initial marketing of the project this restriction may be clear to prospective occupants, there is a risk that long-term, dwelling units may be sold or rented to individuals that do not meet this age-restriction. Given staff’s inability to pro-actively enforce this condition prior to the purchase and occupancy of dwelling units, staff recommends that these proffers not be accepted.

## CONCLUSIONS

The proposed zoning and land uses conform to the Northern Area Plan which suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre.



The proffered conditions do not adequately address the impacts of this development on capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions, relative to credit for road improvements, do not mitigate the impact on roads, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Proffered Condition 13 pertaining to garages does not address typical cluster standards relative to location.

It should be noted that proffered conditions provide for the ability to age restrict occupants within the development as well as restrict construction access, both of which may result in enforcement issues. (Proffered Conditions 6 and 18)

The application fails to address connectivity to Gallitan Road per the Board's adopted "Residential Subdivision Connectivity Policy", as discussed herein. Evaluation of the Policy criteria for granting such relief necessitates design detail that can best be provided through the subdivision review process.

Given these considerations, approval of the rezoning (Request I) is recommended, subject to the applicant fully addressing the impact of this development on transportation facilities relative to proffered improvements to Reams Road. Denial of the waiver to connectivity (Request II) is recommended.

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## CASE HISTORY

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Planning Commission Meeting (12/14/06):

At the request of the applicant, the Commission deferred this case to their March 20, 2007, meeting.

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Staff (12/15/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than January 11, 2007, for consideration at the Commission's March, 2007, public hearing. In addition, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

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Area Residents, Applicant, Staff and Clover Hill District Commissioner (1/30/07):

A meeting was held to discuss this case. Concerns were expressed relative to transportation, drainage, buffers, landscaping and architectural treatment. It was agreed that these issues would be discussed in detail at a series of follow-up meetings.

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Area Residents, Applicant, Staff and Clover Hill District Commissioner (2/15/07):

A meeting was held to discuss this case relative to project access, connectivity to adjacent subdivisions, construction access and existing and potential drainage issues. The applicant agreed to consider additional improvements to the Reams Road/Winters Hill Place intersection; provision of initial project construction access from Reams Road; provision of one point of connectivity to Gatewood Subdivision; and preclusion of drainage from impervious areas to Gatewood Subdivision, except under certain circumstances.

A meeting has been scheduled for March 8, 2007, to discuss buffers, landscaping and architectural treatment.

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Staff (2/28/07):

To date, no new information has been submitted, nor has the deferral fee been paid.

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Area Residents, Applicant, Staff and Clover Hill District Commissioner (3/8/07):

A meeting was held to discuss this case relative to landscaping, buffers and architectural treatment. The applicant agreed to withdraw requested exceptions to setbacks from Reams Road and the pavement width for roads; and to proffer fencing around the perimeter of the property and an architectural exhibit.

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Applicant (3/8/07):

The deferral fee was paid.

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Planning Commission Meeting (3/20/07):

At the request of the applicant, the Commission deferred this case to their May 15, 2007, meeting.

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Staff (3/21/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than March 26, 2007, for consideration at the Commission's May 2007, public hearing. In addition, the applicant was advised that a \$250.00 deferral fee must be paid prior to the Commission's public hearing.

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Applicant (4/5/07):

Amended proffered conditions and Textual Statement were submitted.

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Area Residents, Applicant, Staff and Clover Hill District Commissioner (4/26/07):

A meeting was held to discuss this case. Concerns were expressed relative to the need for road improvements at the Reams Road/Winters Hill Place intersection and connectivity to neighboring subdivision streets. The applicant agreed to defer the case to resolve the cost for proposed Reams Road improvements.

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Applicant (5/14/07):

The deferral fee was paid.

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Planning Commission Meeting (5/15/07):

At the request of the applicant, the Commission deferred this case to their June 19, 2007, meeting.

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Staff (5/16/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than May 21, 2007, for consideration at the Commission's June 2007, public hearing. In addition, the applicant was advised that a \$500.00 deferral fee must be paid prior to the Commission's public hearing.

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Applicant (5/18/07 and 6/6/07):

Revised proffered conditions were submitted.

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Staff (6/7/07):

The deferral fee was paid.

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TASCON REAMS ROAD  
TEXTUAL STATEMENT  
CASE 07SN0181

September 8, 2006

Revised November 15, 2006

Revised November 27, 2006

Revised March 16, 2007

Revised April 5, 2007

I. Multi-family residential dwellings subject to the requirements of the Zoning Ordinance for the Residential Multi-Family (R-MF) Districts, except as follows:

A. Setbacks

1. A twenty-three (23) foot exception to the twenty-five (25) foot setback requirement for structures from driveways providing access exclusively to parking area.
2. A fifteen (15) foot exception to the fifteen (15) foot setback requirement for structures from parking spaces.
3. A twenty-five (25) foot exception to the fifty (50) foot setback requirements for structures from property lines, except along Reams Road.
4. A forty (40) foot exception to the fifty (50) foot setback requirement for structures adjacent to rights-of-way, except along Reams Road.
5. A ten (10) foot exception to the fifteen (15) foot requirement for parking and driveways adjacent to rights-of-way.

B. Driveways and Parking Areas

Driveways and parking areas shall not be required to have curb and gutters.

C. Recreational Area

The recreation area of this development shall not have a minimum size.

D. Roads

1. A seven (7) foot exception to the twenty-four (24) foot pavement width requirement for private driveways provided, however, the pavement width of any driveway designated as a fire lane in connection with site plan review shall not be less than twenty (20) feet, unless otherwise approved by the Fire Department at time of site plan approval.

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- E. Model home(s), subject to the requirements of Section 19-65(a) of the Zoning Ordinance.
- F. One (1) temporary model home permitted in a modular unit provided such unit shall be subject to the requirements of Section 19-65(a)(2) through (5) of the Ordinance.

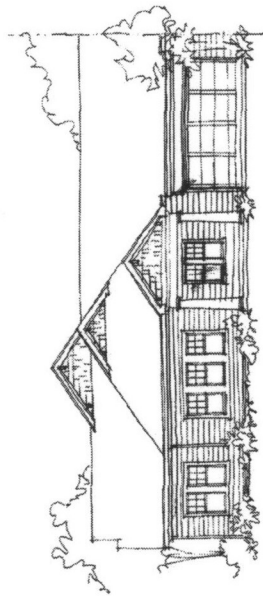
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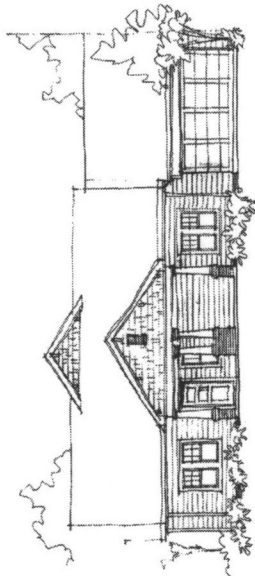


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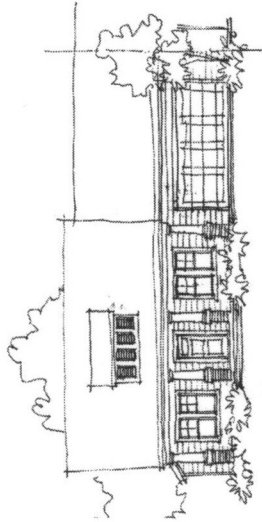
# Exhibit "A"



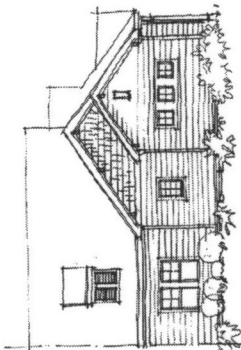
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1/4" = 1'-0"



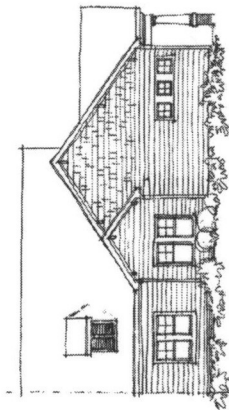
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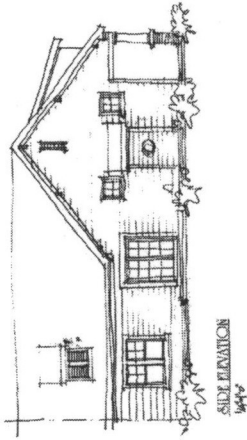
FRONT ELEVATION  
1/4" = 1'-0"



SIDE ELEVATION  
1/4" = 1'-0"



SIDE ELEVATION  
1/4" = 1'-0"



SIDE ELEVATION  
1/4" = 1'-0"

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Tascon Reams Road-Case #07SN0181

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